

Appl. No. 09/836,017  
Amdt. dated 01/04/05  
Response to Office Action of September 8, 2004  
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### **REMARKS**

#### **I. Election/Restrictions**

Claims 54-62, 65 and 67 are withdrawn from further consideration in the response filed on August 12, 2004.

#### **II. Title of the Invention**

The office action suggests that the title of the invention is not descriptive and requests a new title. The title has been amended to "SYSTEM AND METHOD FOR PLACING A MEDICAL ELECTRICAL LEAD HAVING AN ELECTRODE RETENTION MEMBER". Accordingly, withdrawal of the objection is respectfully requested.

#### **III. Claim Rejections – 35 USC § 112**

Claim 39 recites the limitation "the coupling member" in lines 5 and 6. There is insufficient antecedent basis for this limitation in the claim. Claim 39 has been amended to change "the coupling member" to "electrode retention member."

#### **IV. Claim Rejections – 35 USC § 102**

Claims 39-45, 50 and 53 are rejected under 35 U.S.C. 102(e) as anticipated by Cragg (US Patent No. 6,315,789). Applicant respectfully traverses.

Cragg is characterized as disclosing an electrode assembly delivery system. However, nowhere in Cragg is there any such discussion. A computer search of the text of Cragg from column 4 (Summary of the Invention) through column 18 finds no mention of "electrode" anywhere. The office action cites to columns 14-17 and Figs. 6-8. Yet, the cited disclosure concerns a gastrostomy assembly. More fundamentally, as the title to Cragg indicates, the disclosure is directed to an anchoring system for a medical device. The Abstract begins by stating "Methods and apparatus for anchoring percutaneous devices...."

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The claimed subject matter of the instant application, as set forth in the Summary of the Invention is directed to a system for deploying a lead in a cardiac chamber of a patient. The system includes a guide wire having an electrode retention member retaining an electrode assembly. The guide wire is inserted into the inner lumen of an introducer sheath with the electrode retention member beyond the distal tip of the introducer. The entire assembly may then be navigated to a desired site of implant. Nowhere does Cragg disclose such a system.

The rejection of claim 1 as being anticipated by Cragg is without basis and should be withdrawn.

#### **V. Claim Rejections – 35 USC § 103**

Claim 52 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cragg. Cragg is applied as it was applied to claim 39. Therefore, this rejection fails for the same reasons as the anticipation rejection of claim 39 fails. Applicant hereby incorporates by reference the remarks made in Section IV, *supra*.

Cragg completely fails to show or suggest the subject matter of claim 39, as a whole. Therefore, claim 52 cannot be unpatentable for obviousness over Cragg. The rejection of claim 52 should be withdrawn.

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## VI. Conclusion

Based upon the amendments to the claims and the foregoing remarks, Applicant submits that all claims distinguish over the cited references taken either singly or in combination. Applicant requests that a notice of allowance be issued in due course.

Respectfully submitted,

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January 4, 2005  
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